

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE**

CRIMINAL APPLICATION NO. 3034 OF 2007

Sham Kisan Parve. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

L.S.Gaikwad i/b. Subhash Hulyalkar
for the applicant.

Ms.S.D.Shinde, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 3rd October 2007.

P.C.:

. Heard learned counsel for the applicant and
learned A.P.P. for the State.

2. The applicant is seeking bail in connection
with CR.No.56/2006 registered with Junnar Police
Station, Pune for the offences punishable under
sections 376 and 506 of Indian Penal Code (I.P.C.).

3. This application is moved after getting the
bail application rejected at the hands of Sessions
Court vide order dated 3rd September, 2007. It is not
in dispute that the prosecutrix girl was kidnapped and
raped. She was a minor girl of 11 years of age. The

factual aspects taken into account by the Court below while rejecting the application for bail needs no reproduction since there is no dispute. The factual aspects considered and reasons recorded by the Court below while rejecting bail to the applicant find confirmation of this Court. The offence committed by the applicant- accused is a heinous offence punishable under section 376 of I.P.C. Sufficient evidence is available on record to implicate the applicant to the offence alleged.

4. In the above circumstances of the case, application is rejected.

JUDGE